

APPENDIX C

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(Chart Of Reasons On Unjust Enrichment Count Why Named Plaintiffs Do Not Have Typicality Or Adequacy)

States under which Plaintiffs are seeking certification of an unjust enrichment subclass	California	Connecticut	Illinois	Massachusetts	New York
Proposed Class Representative(s) (Russo and Gonzales are not being sought as class representatives in the unjust enrichment count) (See Pls.' Mem., at 3 n.2; Pls.' Mot., at 2)	IBEW	IUOE	Steamfitters	Bullard and IUOE	Bullard and IUOE
Typicality ("Unique Defense")/Adequacy	No – continued purchasing after met with counsel on Dec. 21, 2016 IBEW was aware as early as 2008 that its PBM considered retail price and U&C to be the same and that it was not providing discount card prices to IBEW's beneficiaries Cannot bring a claim just because beneficiary purchased in CA (See Def.'s Opp'n, at 38-43)	No – continued purchasing after met with counsel in Sept. 2017 Cannot bring a claim just because beneficiary purchased in CT (See Def.'s Opp'n, at 38-42)	No – continued purchasing after met with counsel on Nov. 7, 2017 (See Def.'s Opp'n, at 39-42)	No – continued purchasing after met with counsel on May 10, 2017 (Bullard) and in September 2017 (IUOE) Bullard did not have an allegedly offending purchase in MA until after filing the Complaint IUOE cannot bring a claim just because beneficiary purchased in MA (See Def.'s Opp'n, at 38-42, 47)	No – continued purchasing after met with counsel on May 10, 2017 (Bullard) and in September 2017 (IUOE) (See Def.'s Opp'n, at 39-42)